

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

LOST LAKE HOLDINGS LLC et al.

Plaintiffs,

vs

TOWN OF FORESTBURGH, et al.

Defendants.

Civ. Action No. 7:22-cv-10656

**DECLARATION OF ISAAC ROSENBERGER**

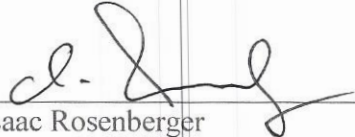
Isaac Rosenberger declares as follows, pursuant to 28 U.S.C. § 1746:

1. I am the owner of Rose Improvement, which was hired to serve as the General Contractor for Plaintiffs, Lost Lake Holdings LLC and Mishconos Mazah LLC, and make this declaration in that capacity.
2. I have personal knowledge of the facts set forth herein.
3. I am over the age of eighteen (18) and competent to testify in a court of law.
4. I respectfully submit this Declaration in support of the Plaintiffs' Motion for Preliminary Injunction being filed contemporaneously with the same.
5. In early July 2021, I reached out to Town of Forestburgh Supervisor Dan Hogue regarding the building permit application for Lot 303 identified on the Tax Map of the Town of Forestburgh as 3.C-6-3.
6. Mr. Hogue told me that he would give me the contact information for the person to speak with on behalf of the Town.

7. Attached hereto as **Exhibit A** is a true and correct copy of an email and text message that I received from Richard Robbins on or about July 14, 2021, in the form presented to the Forestburgh ZBA as Exhibit I. It contains a forwarded email from Glenn Gabbard, the Town Building Inspector, to another of Rose Improvement's representatives, Zalman Stein dated June 25, 2021.
8. On or about August 5, 2021, I texted Mr. Hogue to discuss the planned infrastructure installation schedule for the Lost Lake project.
9. Attached hereto as **Exhibit B** is a true and correct copy of text messages between me and Mr. Hogue beginning on August 5, 2021.
10. After August 5, 2021, we had planned to meet to discuss the planned infrastructure installation schedule for the Lost Lake project.
11. Mr. Hogue canceled our planned meeting, and did not reschedule it.
12. I continued to try to contact Mr. Hogue via text message to meet with him and Mr. Gabbard, but he did not respond to me.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on June 1, 2023

  
Isaac Rosenberger